

ARTICLE I. CORPORATE NAME AND BOUNDARIES AND PLATTING OF PROPERTY*

Section 1. Corporate Name.

That all the inhabitants of the City of Houston, Harris County, Texas, as the boundaries and limits of said City are herein established, or may be hereafter established, shall be a body politic, incorporated under, and to be known by the name and style of the City of Houston, with such powers, rights, and duties as are herein provided. (Act of 1905)

SECTION 2. BOUNDARIES ESTABLISHING CITY LIMITS. [Text omitted].

Section 2-a. Extending City Limits upon Petition.

The City of Houston, whenever a majority of the qualified voters who are citizens of the State of Texas and inhabitants of any territory adjoining said City of Houston, desire the annexation of such territory to said City they may present a written petition to that effect to the City Council, and shall attach to said petition the affidavit of one or more of their number to the effect that said petition is signed by a majority of such qualified voters; and thereupon the City Council at any regular session held not sooner than twenty days after the presentation of said petition may by ordinance annex such territory to the City of Houston and thenceforth the said territory shall be a part of the City of Houston, and the inhabitants thereof shall be entitled to all the rights and privileges of other citizens and shall be bound by the acts, ordinances, resolutions and regulations of the said city. (Added by amendment October 15, 1913)

Section 2-b. Extending Limits by Action of City Council.

The City Council shall have power by ordinance to fix the boundary limits of the said City of Houston, and to provide for the extension of said

*Note—The title of this article was added by the editor; it was not titled in the 1905 Special Act or any of the subsequent amendments.

boundary limits and the annexation of additional territory lying adjacent to said city with or without the consent of the territory and inhabitants annexed; that upon the introduction of such an ordinance in the Council after it has been reported upon by the ordinance committee and has been amended as desired by the Council for final passage, it shall be published in some daily newspaper published in the City of Houston one time, and shall not thereafter be finally passed until at least 30 days has elapsed after said publication, and when said ordinance is finally passed the said territory so annexed shall be a part of the City of Houston, and the inhabitants thereof shall be entitled to all the rights and privileges of other citizens, and shall be bound by the acts, ordinances, resolutions and regulations of the said city. (Added by amendment October 15, 1913)

SECTION 3. Platting of property.

That should any property lying within the city limits as established by this act be hereafter platted into blocks and lots, then and in that event the owners of said property shall plat and lay the same off to conform to the streets and lots abutting on same, and shall file with the City Engineer a correct map of same; provided, that in no case shall the City of Houston be required to pay for any of said streets at whatever date opened, but when opened by reason of the platting of said property, at whatever date platted, they shall become by such act the property of the City of Houston for use as public highways, and shall be cared for as such; provided, however, that the platting of any property laid off into blocks and lots as herein provided shall be platted in accordance with the regulations prescribed by the City Council. Said plat shall be approved by the City Council before said plat is placed of record, and before any lot or lots are sold with reference to said plat, and the City Council shall be authorized to pass all necessary ordinances, penal or otherwise, with reference to the platting of property so as to carry into effect the purposes of this provision and the City Council is further authorized to pass all necessary ordinances prescribing reasonable rules and regulations for the laying of water mains or pipes, sewers and the regulation of the

kind and character of street paving which may be placed in any such addition. (Act of 1905; amended December 30, 1922)

ARTICLE II. CORPORATE AND GENERAL POWERS*

Section 1. Corporate Powers.

The City of Houston, made a body politic and corporate by this Act, shall have perpetual succession, may use a common seal, may sue and be sued, may contract and be contracted with, implead and be impleaded in all courts and places and in all matters whatever, may take, hold and purchase lands as may be needed for the corporate purposes of said City, and may sell any real estate, or personal property owned by it, perform and render all public services, and when deemed expedient, may condemn property for public use, and may hold, manage, and control the same, such condemnation proceedings to be governed and controlled by the law now in force in reference to the condemnation of the right of way of railroad companies and the assessment of damages therefor, and shall be subject to all the duties and obligations now pertaining to or incumbent upon said City as a corporation not in conflict with the provisions of this Act, and shall enjoy all the rights, immunities, powers, privileges, and franchises now possessed and enjoyed by said City and herein granted and conferred. (Act of 1905)

Section 2. General powers.

(a) The City Council shall have power to enact and to enforce all ordinances necessary to protect life, health and property; to prevent and summarily abate and remove nuisances; to preserve and promote good government, order, security, amusement, peace, quiet, education, prosperity and the general welfare of said City and its inhabitants; to exercise all the municipal powers necessary to the complete and efficient management and control of the municipal property and affairs of said city to effect the efficient administration of the municipal government of said city;

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to exercise such powers as conduce to the public welfare, happiness and prosperity of said city and its inhabitants; and to enact and enforce any and all ordinances upon any subject; provided, that no ordinance shall be enacted inconsistent with the provisions of this charter; and, provided further, that the specification of particular powers shall never be construed as a limitation upon the general powers herein granted; it being intended by this charter to grant to and bestow upon the inhabitants of the City of Houston and the City of Houston full power of local self government, and it shall have and exercise all powers of municipal government not prohibited to it by its charter, or by the provisions of the Constitution of the State of Texas.

(b) The City shall have all powers that are or hereafter may be granted to municipalities by the Constitution or laws of Texas; and all such powers, whether expressed or implied, shall be exercised and enforced in the manner prescribed by this charter, or when not prescribed herein, in such manner as shall be provided by ordinance or resolution of the Council.

In addition to all the powers enumerated in this charter, implied thereby or appropriate to the exercise thereof, the City shall have and may exercise in the manner hereinbefore provided, all other powers which, under the Constitution and laws of this State, it would have been competent for this charter specifically to enumerate. (Act of 1905; amended October 15, 1913)

Sec. 3. Real Estate, etc., Owned by City.

All real estate owned in fee simple title, or held by lease, sufferance, easement or otherwise; all public buildings, market houses, school houses, fire engine stations, public squares, parks, streets, alleys and all property of whatever kind, character and description which has been granted, donated, purchased or otherwise acquired by the City of Houston through any means or agency, and all causes of action, choses in action, rights or privileges of every kind and character, and all property of whatsoever character or description which may have been held and is now held, controlled or used by said City of Houston for public uses or in trust for the public, shall vest in